GOVERNMENT OF INDIA
URBAN DEVELOPMENT AND POVERTY ALLEVATION
LOK SABHA

UNSTARRED QUESTION NO:2218
ANSWERED ON:03.12.2002
CONVERSION OF LEASE HOLD RIGHTS INTO FREE HOLD RIGHTS IN CHANDIGARH
PAWAN KUMAR BANSAL

Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVATION be pleased to state:

(a) the number of applications made so far for conversion of lease hold rights into free hold rights in Chandigarh;

(b) the number of cases actually cleared and conversion effected therein;

(c) whether the U.T. Administration has promulgated an order fixing the minimum conversion charges/fee to be equivalent to five times the annual ground rent;

(d) if so, whether this notification runs counter to the stipulations of and the fee formula prescribed under the Scheme;

(e) the steps taken to rectify the situation;

(f) whether the holders of General Power of Attorney still continue to be deprived of the right to convert leasehold rights into freehold rights of property in Chandigarh;

(g) if so, whether the same is violative of the conversion scheme; and

(h) if so, the steps taken to effect such conversion without hassles?

Answer

MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY O URBAN DEVELOPMENT & POVERTY ALLEVIATION (SHRI O. RAJAGOPAL)

(a): As per the information furnished by the Chandigarh Administration, 3406 applications have been received.

(b): 3356

(c): Yes, Sir. The Chandigarh Administrtion notified the land rate of Rs.1710/- per square meter subject to the condition that the conversion charges shall be atleast five times of the annual lease money/ground rent vide notification dated 8.7.2002.

(d): No, Sir. The notification is as per Rule 5 of the Chandigarh Conversion of Residential Lease-Hold Land Tenure into Free-Hold Land Tenure Rules, 1996.

(e): Since the situation is as per the Law and Rules as stated in (d) above, no rectificatory step is required.

(f): No, Sir. As per Rule 8 of the Chandigarh Conversionof Residential Lease-Hold Land Tenure into Free-Hold Land Tenure Rules, 1996, the conversion is allowed in the cases where the lessee / sub lessee/ allottees have parted with possession of the property provided that

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(i) The application for conversion is made by a person holding registered and valid power of attorney and there is also an aggreement to sell from the lessee to sub-lessee to alienate (sell/transfer) the property and proper linkage with the orginal allottee/lessee is established.

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(ii) Proof in support of possession of the site is given by the person making application for conversion.

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(iii) Where the GPA holder fulfils the criteria of eligibility under these rules, conversion from lease hold to free hold in favour of the GPA and consequent conveyance deed in favour of the GPA holder would be allowed. Provided that the GPA holder would be required to furnish an Indemnity Bond with one surety absolving the Administration, its agencies in extending such a facility to the GPA holder.

(g)&(h): No, Sir. In view of reply at (f) above.